

AMENDED IN SENATE SEPTEMBER 4, 2015

AMENDED IN SENATE AUGUST 31, 2015

AMENDED IN ASSEMBLY MAY 28, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 522

**Introduced by Assembly Member Burke
(Coauthors: Assembly Members Frazier and Salas)**

February 23, 2015

An act to add Section 12107 to the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL’S DIGEST

AB 522, as amended, Burke. Public contracts: information technology: contractor performance assessment report.

Existing law establishes in state government the Department of Technology within the Government Operations Agency. Existing law provides that the Department of Technology is responsible for the approval and oversight of specified information technology projects. Existing law requires specified contracts for the acquisition of information technology projects to be made by or under the supervision of the Department of Technology.

Existing law sets forth requirements for the acquisition of goods and services by state agencies and sets forth the various responsibilities of the Department of General Services and other state agencies in overseeing and implementing state contracting procedures and policies. Existing law requires, unless otherwise expressly provided, that all contracts for the acquisition of information technology goods or services

be made by or under the supervision of the Department of General Services.

This bill would require the Director of Technology, by January 1, 2017, to develop a standardized contractor performance assessment report system to evaluate the performance of a contractor on any information technology contract or project reportable to the Department of Technology, as provided. The bill would require the Director of Technology to implement that evaluation system for all reportable information technology contracts and projects, *as specified*, and would require that system to be used in addition to any other procurement procedures when evaluating or awarding those contracts or projects.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12107 is added to the Public Contract
2 Code, to read:

3 12107. (a) (1) On or before January 1, 2017, the Director of
4 Technology shall develop a standardized contractor performance
5 assessment report system to evaluate the performance of a
6 contractor on any information technology contract or project
7 reportable under Chapter 4800 of the State Administrative Manual
8 entered into pursuant to this chapter.

9 (2) The contractor performance assessment report system shall
10 include, but is not limited to, multiple evaluations before the final
11 evaluation, a minimum 30-day response period for the contractor
12 to respond to the final evaluation, an objective evaluation of the
13 performance of the contractor, information about the type of
14 contract or project and whether or not that contract or project was
15 completed on time, and information about the number of completed
16 contracts or projects by the contractor.

17 (b) (1) Upon the development of the contractor performance
18 assessment report system described in subdivision (a), the Director
19 of Technology shall implement the contractor performance
20 assessment report system for all information technology contracts
21 and projects reportable under Chapter 4800 of the State
22 Administrative Manual entered into pursuant to this chapter.

23 (2) The contractor performance assessment report system shall,
24 in addition to any other applicable information technology

1 procurement procedures, be utilized to evaluate and award any
2 information technology contract or project *reportable under*
3 *Chapter 4800 of the State Administrative Manual* awarded pursuant
4 to this chapter.

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